



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,357	08/01/2003	Henrik E. Hedlund	109704-009	3703

27189 7590 02/28/2008
PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
530 B STREET
SUITE 2100
SAN DIEGO, CA 92101

EXAMINER

PARK, GEORGE M

ART UNIT

PAPER NUMBER

3623

NOTIFICATION DATE

DELIVERY MODE

02/28/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com

PTONotifications@procopio.com

Office Action Summary

Application No.

10/633,357

Applicant(s)

HEDLUND ET AL.

Examiner

GEORGE PARK

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-34 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-850)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Inventor's Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date 9/9/2004 and 4/11/2007

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: "storage areas 40, 50, and 60" (page 6, line 1) should be --storage areas 42, 52, and 62--. Also, the sentence "For example, the computer system 550 may be used in conjunction with [describe various uses for a general purpose computer in relation to the invention]" (page 12, paragraph [52]) should be edited or deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 30 and 31 recites the limitation "access station" in page 20. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 5, 7, 8, 11, 12, 14, 16, 19, 21, 22, 26, 28, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (U.S. Pat. No. 5,111,391) in view of Andre et al. (U.S. Pub. No. 2002/0143597 A1).

Regarding to claim 1, Fields et al. discloses the invention substantially as claimed. Fields et al. discloses a computer implemented method for automatically generating an optimized workforce schedule (column 1, lines 9-14), comprising: creating an initial (i.e. preliminary) workforce schedule (column 4, line 36) based on past schedules (i.e. historical data) (column 1, line 9-12) and employee attributes (i.e. skills) (column 4, lines 38-40); and refining the initial workforce schedule to generate an optimized workforce schedule based on the initial workforce schedule (column 5, line 8-10). However, Fields et al. does not explicitly disclose generating an optimized workforce schedule based on forecasted demand and employee preferences. Andre et al. discloses generating an optimized workforce schedule based on forecasted demand (i.e. workload) (paragraph [0025], lines 7-9) and employee preferences (paragraph [0019], lines 5-7). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. with the feature of generating an optimized workforce schedule based on forecasted demand and employee preferences as taught by Andre et al., as both Fields et al. and Andre et al. are directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been to refine the initial workforce schedule based on forecasted demand and employee preferences.

Regarding to claim 3, Fields et al. discloses wherein employee attributes comprise an employee's skill set (column 1, line 36-37, column 4, lines 38-40).

Regarding to claim 5, Fields et al. discloses the invention substantially as claimed. However, Fields et al. does not disclose wherein the refining step further comprises receiving a forecasted demand as input. Andre et al. discloses wherein the refining step further comprises

receiving a forecasted demand (i.e. workload) as input (paragraph [0025], lines 7-9). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. with the feature of wherein the refining step further comprises receiving a forecasted demand as input as taught by Andre et al., as both Fields et al. and Andre et al. are directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been to refine the initial workforce schedule by inputting a forecasted demand.

Regarding to claim 7, Fields et al. discloses the invention substantially as claimed. However, Fields et al. does not disclose wherein the forecasted demand is for multiple employee positions. Andre et al. discloses wherein the forecasted demand (i.e. workload) is for multiple employee positions (i.e. staffing level) (paragraph [0025], lines 7-9 and 16-19). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. with the feature of wherein the forecasted demand is for multiple employee positions as taught by Andre et al., as Fields et al. and Andre et al. are directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been to refine the workforce schedule based on the forecasted demand for multiple employees.

Regarding to claims 8 and 26, Fields et al. discloses the invention substantially as claimed. However, Fields et al. does not disclose wherein the refining step further comprises generating an optimized workforce schedule based on resource availability (as per claim 8) and wherein the scheduling server is further configured to consider resources availability when creating the initial workforce schedule (as per claim 26). Andre et al. discloses generating a

workforce schedule based on variables such resource availability (i.e. available staff). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method and system of Fields et al. with the feature of wherein the refining step further comprises generating an optimized workforce schedule based on resource availability (as per claim 8) and wherein the scheduling server is further configured to consider resources availability when creating the initial workforce schedule (as per claim 26) as taught by Andre et al., as both Fields et al. and Andre et al. are directed to a computer implemented method and system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to optimize the initial workforce schedule based on resource availability.

Regarding to claim 11, Fields et al. discloses the invention substantially as claimed. However, Fields et al. does not disclose receiving a modification to the optimized workforce schedule from a user. Andre et al. discloses receiving a modification (i.e. changes) to the schedule from a user (paragraph [0011], lines 12-15). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. with the feature of receiving a modification to the optimized workforce schedule from a user as taught by Andre et al., as both Fields et al. and Andre et al. are directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been for the user to modify the optimized workforce schedule due to various changes such as staffing levels.

Regarding to claim 12, Fields et al. discloses the invention substantially as claimed. However, Fields et al. does not disclose wherein the modification is received via an input device

configured to provide changes for a particular resource through a user interface. Andre et al. discloses modification is received via an input device (paragraph [0025], lines 1-4) configured to provide changes through a user interface (paragraph [0019], lines 3-5). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. with the feature of wherein the modification is received via an input device configured to provide changes for a particular resource through a user interface as taught by Andre et al., as both Fields et al. and Andre et al. are directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been for the user to modify the workforce schedule using an input device through a user interface.

Regarding to claims 14 and 31, Fields et al. discloses wherein the input device is a keyboard (as per claim 14) (column 8, lines 2-6) and wherein the access station comprises a keyboard input device (column 8, lines 2-6) that allows a user to modify an optimized workforce schedule (as per claim 31) (column 4, lines 29-31).

Regarding to claim 16, Fields et al. discloses wherein the resources selected for the initial workforce schedule are predefined (i.e. employee availability file) (column 6, lines 47-52).

Regarding to claim 19, Fields et al. discloses wherein employee resources are located in a centralized pool of resources (i.e. Employee Master File and Employee Availability File) (column 6, lines 38-42).

Regarding to claim 21, Fields et al. discloses the invention substantially as claimed. Fields et al. discloses a system for automatically generating an optimized workforce schedule (column 1, lines 9-14), comprising: a scheduling server (i.e. host computer) (column 7, lines 33

to column 8 lines 1-2); an access device communicatively coupled with the scheduling server over a data communications network (column 8, lines 2-8), the access device configured to allow a user to interact with the scheduling server (column 8, lines 2-8); a data storage area (column 8, lines 25-28) configured to store past schedules (i.e. historical data) (column 1, line 9-12) and employee attributes (i.e. skills) (column 4, lines 38-40); wherein the scheduling server creates an initial (i.e. preliminary) workforce schedule (column 4, line 36) based on said past schedules (i.e. historical data) (column 1, line 9-12) and employee attributes (i.e. skills) (column 4, lines 38-40); and wherein the scheduling server creates an optimized workforce schedule based on user input via the access device (column 5, lines 8-10, column 8, lines 2-8). However, Fields et al. does not disclose a data storage area configured to store forecasted demand and wherein the scheduling server creates an initial workforce scheduled based on forecasted demand. Andre et al. discloses forecasted demand (i.e. workload) (paragraph [0025], lines 7-9). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Fields et al. with the feature of a data storage area configured to store forecasted demand and wherein the scheduling server creates an initial workforce scheduled based on forecasted demand as taught by Andre et al., as both Fields et al. and Andre et al. are directed to a system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to store data and creating an initial workforce schedule that includes the forecasted demand.

Regarding to claim 22, Fields et al. discloses the invention substantially as claimed. However, Fields et al. does not explicitly disclose wherein the access device and the scheduling server are at different locations. Andre et al. discloses wherein the access device (i.e. client

computers) and the scheduling server are at different locations (i.e. local area network/wide area network) (see fig. 1, paragraph [0017], lines 2-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Fields et al. with the feature of wherein the access device and the scheduling server are at different locations as taught by Andre et al., as both Fields et al. and Andre et al. are directed to a system for automatically generating an optimized workforce schedule. The motivation for doing so would have been for the user of the access device to interact with the workforce scheduling system even though the local office may be physically isolated from the main office.

Regarding to claim 28, Fields et al. discloses wherein the scheduling server is further configured to consider an employee skill set when creating the optimized workforce schedule (column 5, lines 17-20).

Regarding to claim 34, Fields et al. discloses the invention substantially as claimed. However, Fields et al. does not disclose wherein the data storage area is coupled with a data server that is separate from the scheduling server. Andre et al. discloses client computers including data storage area (i.e. storage devices) that are coupled with a server (paragraph [0017], lines 2-7). It is also common knowledge in the prior art for the system to include data storage areas coupled to various servers (i.e. data server, scheduling server, etc.) . Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Fields et al. with the feature of wherein the data storage area is coupled with a data server that is separate from the scheduling server as taught by Andre et al., as both Fields et al. and Andre et al. are directed to the system for automatically generating an

optimized workforce schedule. The motivation for doing so would have been to allocate the data to various servers instead of integrating them into multifunctional devices.

6. Claims 2, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (U.S. Pat. No. 5,111,391) in view of Andre et al. (U.S. Pub. No. 2002/0143597 A1) and further in view of O'Brien (U.S. Pat. No. 6,587,831 B1).

Regarding to claims 2, 23 and 24, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein creating an initial workforce schedule further comprises using a pattern recognition procedure to recognize past resource shift patterns for a particular employee position (as per claim 2), wherein the scheduling server uses pattern recognition to recognize past resource shift patterns for a particular employee position (as per claim 23) and wherein the scheduling server uses the past resource shift patterns to create the initial workforce schedule (as per claim 24). O'Brien discloses generating a schedule based on business parameters including shift patterns (column 3, lines 56-65). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method and system of Fields et al. and Andre et al. with the feature of wherein creating an initial workforce schedule further comprises using a pattern recognition procedure to recognize past resource shift patterns for a particular employee position (as per claim 2), wherein the scheduling server uses pattern recognition to recognize past resource shift patterns for a particular employee position (as per claim 23) and wherein the scheduling server uses the past resource shift patterns to create the initial workforce schedule (as per claim 24) as taught by O'Brien, as Fields et al., Andre et al. and O'Brien et al. are directed to

a computer implemented method and system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to create an initial workforce schedule based on past resource shift patterns.

7. Claims 4, 9, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (U.S. Pat. No. 5,111,391) in view of Andre et al. (U.S. Pub. No. 2002/0143597 A1) and further in view of Bucci et al. (U.S. Pat No. 6,823,315 B1).

Regarding to claim 4, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein employee preferences comprise an employee's desired number of hours. Bucci et al. discloses wherein employee preferences comprise an employee's desired number of hours (column 2, line 59-62). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. and Andre et al. with the feature of wherein employee preferences comprise an employee's desired number of hours as taught by Bucci et al., as Fields et al., Andre et al. and Bucci et al. are directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been to refine the initial workforce schedule based on employee preferences, specifically an employee's desired number of hours.

Regarding to claims 9 and 27, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein the refining step further comprises generating an optimized workforce schedule based on a predefined number of work hours per week for an employee (as per claim 9) and wherein the

scheduling server is further configured to consider a predefined number of work hours per week for an employee when creating the optimized workforce schedule (as per claim 27). Bucci et al. discloses generating an optimized workforce schedule based on a predefined number (i.e. constraints) of work hours per week (i.e. weekly hours) for an employee (column 4, lines 43-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method and system of Fields et al. and Andre et al. with the feature of wherein the refining step further comprises generating an optimized workforce schedule based on a predefined number of work hours per week for an employee (as per claim 9) and wherein the scheduling server is further configured to consider a predefined number of work hours per week for an employee when creating the optimized workforce schedule (as per claim 27) as taught by Bucci et al., as Fields et al., Andre et al. and Bucci et al. are directed to a computer implemented method and system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to refine the optimized workforce schedule based on a predefined number of work hours per week for an employee.

Regarding to claim 18, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein the refining step further comprises: creating an alternative schedule; comparing the alternative schedule to the initial schedule to determine the optimal schedule; and using the optimal schedule as the optimized workforce schedule. Bucci et al. discloses creating an alternative schedule (i.e. modified workforce schedule) (column 2, lines 21-22); comparing the alternative schedule to the initial schedule (i.e. trial schedule) to determine the optimal schedule (column 2, lines 24-25 and lines 38-44); and using the optimal schedule as the optimized workforce schedule (column 2,

lines 45-47). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. and Andre et al. with the feature of wherein the refining step further comprises: creating an alternative schedule; comparing the alternative schedule to the initial schedule to determine the optimal schedule; and using the optimal schedule as the optimized workforce schedule as taught by Bucci et al., as Fields et al., Andre et al. and Bucci et al. are directed to directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been to select the workforce schedule that best meets the workforce requirements.

8. Claims 6, 15, 17, 25 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (U.S. Pat. No. 5,111,391) in view of Andre et al. (U.S. Pub. No. 2002/0143597 A1) and further in view of Adhikari et al. (U.S. Pat. No. 7,222,082 B1).

Regarding to claim 6, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein the forecasted demand is for a single employee position. Adhikari et al. discloses wherein the forecasted demand is for a single employee position (i.e. person-minutes) (column 13, lines 28-31). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. and Andre et al. with the feature of wherein the forecasted demand is for a single employee position as taught by Adhikari et al., as Fields et al., Andre et al. and Adhikari et al. are directed to a computer implemented method for automatically generating an optimized workforce schedule. The motivation for doing so would have been to refine the initial workforce schedule based on the forecasted demand for a single employee.

Regarding to claims 15 and 32, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein the forecasted demand comprises multiple forecasts for a particular position. Adhikari et al. discloses a forecasted demand (i.e. volume) if the day were a normal day as well as an adjusted forecast if it was marked with some event (i.e. Easter holiday, "1/2 price day" etc.) (column 3, lines 37-41, column 9, lines 17-23). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method and system of Fields et al. and Andre et al. with the feature of wherein the forecasted demand comprises multiple forecasts for a particular position as taught by Adhikari et al., as Fields et al., Andre et al. and Adhikari et al. are directed to a computer implemented method and system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to optimize workforce scheduling based on various forecasted demand that could occur within a business.

Regarding to claim 17, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein the resources selected for the initial workforce schedule are dynamically selected. Adhikari et al. discloses wherein the resources (i.e. workforce requirements) are selected (i.e. assigned) dynamically (column 3, lines 9-12). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Fields et al. and Andre et al. with the feature of wherein the resources selected for the initial workforce schedule are dynamically selected as taught by Adhikari et al., as Fields et al, Andre et al. and Adhikari et al. are directed to a computer implemented method for automatically generating an optimized

workforce schedule. The motivation for doing so would have been to optimize the workforce scheduling with the option of dynamically selecting the resources.

Regarding to claim 25, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein the access device allows a user to adjust the forecasted demand for an employee. Adhikari et al. disclose a user to adjust (i.e. edit) the forecasted demand (i.e. volume) (column 10, lines 53-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Fields et al. and Andre et al. with the feature of wherein the access device allows a user to adjust the forecasted demand for an employee as taught by Adhikari et al, as Fields et al., Andre et al. and Adhikari et al. are directed to a system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to create an optimized workforce schedule based on adjusting the forecasted demand for an employee position by the user.

9. Claims 10 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (U.S. Pat. No. 5,111,391) in view of Andre et al. (U.S. Pub. No. 2002/0143597 A1) and further in view of Kintner et al. (U.S. Pat. No. 6,732,079 B1).

Regarding to claims 10 and 29, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose wherein the refining step further comprises generating an optimized workforce schedule based on full time and part time employee availability (as per claim 10) and wherein the scheduling server is further configured to consider full time and part time employee availability when creating the optimized

workforce schedule (as per claim 29). Kintner et al. discloses producing a worker staffing plan for when an organization employs workers of different types, such as full and part time employees (abstract, lines 1-7, column 2, lines 56-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method and system of Fields et al. and Andre et al. with the feature of wherein the refining step further comprises generating an optimized workforce schedule based on full time and part time employee availability (as per claim 10) and wherein the scheduling server is further configured to consider full time and part time employee availability when creating the optimized workforce schedule (as per claim 29) as taught by Kintner et al., as Fields et al., Andre et al. and Kintner et al. are directed to a computer implemented method and system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to refine the initial workforce schedule based on full time and part time employee availability.

10. Claims 13 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (U.S. Pat. No. 5,111,391) in view of Andre et al. (U.S. Pub. No. 2002/0143597 A1) and further in view of Goto et al. (U.S. Pub. No. 2001/0042001 A1).

Regarding to claims 13 and 30, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not explicitly disclose wherein the input device is a mouse (as per claim 13) and wherein the access station comprises a mouse input device that allows a user to modify an optimized workforce schedule (as per claim 30). Goto et al. discloses wherein the input device is a mouse (paragraph [0076], lines 1-4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the

invention was made to combine the method and system of Fields et al. and Andre et al. wherein the input device is a mouse (as per claim 13) and wherein the access station comprises a mouse input device that allows a user to modify an optimized workforce schedule (as per claim 30) as taught by Goto et al., as Fields et al., Andre et al. and Goto et al. are directed to a computer implemented method and system for automatically generating an optimized workforce schedule. The motivation for doing so would have been for the user to use a mouse to input information in order to modify the workforce schedule.

11. Claims 20 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (U.S. Pat. No. 5,111,391) in view of Andre et al. (U.S. Pub. No. 2002/0143597 A1) and further in view of Martin (U.S. Pub. No. 2002/0107720 A1).

Regarding to claims 20 and 33, Fields et al. and Andre et al. discloses the invention substantially as claimed. However, Fields et al. and Andre et al. do not disclose generating a color coded report to illustrate how closely the optimized workforce schedule is meeting the forecasted demand for a given position (as per claim 20) and a report generator configured to provide a color coded report identifying how close the optimized workforce schedule is meeting the forecasted demand for a given position (as per claim 33). Martin et al. discloses forecasting demand to derive schedules for the staff (paragraph [0010], lines 6-11) and generating reports of the forecasted demand vs. actual performance (paragraph [0042], lines 1-6). It is also common knowledge in the prior art for the reports to include color coded graphs (paragraph [0042], lines 11-12). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method and system of Fields et al. and Andre et al. with

the feature of generating a color coded report to illustrate how closely the optimized workforce schedule is meeting the forecasted demand for a given position (as per claim 20) and a report generator configured to provide a color coded report identifying how close the optimized workforce schedule is meeting the forecasted demand for a given position (as per claim 33) as taught by Martin, as Fields et al., Andre et al. and Martin are directed to a computer implemented method and system for automatically generating an optimized workforce schedule. The motivation for doing so would have been to display and analyze how closely the optimized workforce schedule is meeting the forecasted demand for a given position in the form of graphical reports (i.e. graphs, charts, etc.).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Castonguay et al. (U.S. Pat. No. 5,911,134) discloses a method for planning, scheduling and managing personnel. Leamon (U.S. Pat. No. 6,970,829 B1) discloses a method of forecasting, allocating and scheduling in a call center environment. Leamon et al. (U.S. Pat. No. 7,058,589 B1) discloses a method for assigning a group of agents to a plurality of available schedules.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE PARK whose telephone number is (571)270-3547. The examiner can normally be reached on Monday - Friday (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GP
2/14/08
/Jonathan G. Sterrett/

Primary Examiner, Art Unit 3623